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PATENTS  
JP-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant : Joseph F. Pinkerton  
Application No. : 09/885,367 Confirmation No.: 4177  
Filed : June 20, 2001  
For : ENERGY CONVERSION SYSTEMS USING  
NANOMETER SCALE ASSEMBLIES AND  
METHODS FOR USING SAME  
Group Art Unit : 2834  
Examiner : Joseph Waks

RECEIVED

DEC 24 2002

New York, New York 10020  
December 23, 2002

OFFICE OF PETITIONS

Hon. Commissioner of Patents  
Washington, D.C. 20231

PETITION FOR WITHDRAWAL FROM  
ISSUE UNDER 37 C.F.R. 1.313(c)(2)

Sir:

Pursuant to 37 C.F.R. § 1.313(c)(2), applicant  
hereby petitions that U.S. Patent Application No. 09/885,367  
("the '367 application") be withdrawn from issue. 37 C.F.R.  
§ 1.313 states in relevant part that:

" (c) Once the issue fee has been  
paid, the application will not be

withdrawn from issue upon petition by the applicant for any reason except:

\* \* \*

(2) Consideration of a request for continued examination in compliance with § 1.114;"

Applicant paid the issue fee on December 13, 2002. Applicant requests that the '367 application be withdrawn from issue to permit consideration of a request for continued examination under 37 C.F.R. § 1.114 that is being filed together with the filing of this petition. The request for continued examination is being filed with an information disclosure statement under 37 C.F.R. § 1.97 that is also being filed concurrently herewith. Thus, applicant has satisfied the requirements of 37 C.F.R. § 1.313(c)(2).

A check in the amount of \$130.00, in payment of the fee set forth in 37 C.F.R. § 1.17(h) is enclosed herewith. The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with this petition, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this petition is enclosed herewith.

Respectfully submitted,

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